

REMARKS

Claims 37-39, 43 and 44 are pending. Claim 44 has been rejected and claims 37-39 and 43 have been allowed. Accordingly, claims 37-39, 43 and 44 are presented for further prosecution. Favorable reconsideration of the application is requested in light of the following remarks.

Initially, applicants would like to thank the Examiner for allowing claims 37-39 and 43.

§103(a) rejection of claim 44

Claim 44 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Chou (US 5,142,123) ("Chou '123" hereafter) in view of 542,350 and Patent 040,687. Claim 44 has been amended to recite "wherein when said free end of said press bar is pivoted downwardly said metal press plate switches said circuit from an open state to a closed state." The Examiner indicated that claim 37 is allowable because the prior art of record does not show or suggest a switch mounted in said housing. The language of claim 44 is similar and should therefore be allowable. Accordingly, it is believed that all claims are now in condition for allowance, and such action is respectfully requested.

Serial No. 09/739,990

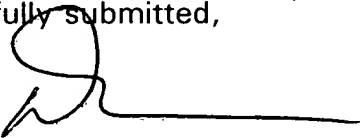
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CONCLUDING REMARKS

In view of the foregoing remarks, it is believed that all claims are in condition for allowance. Reconsideration of all rejections and a notice of allowance are respectfully requested. Should there be any questions regarding this application, Examiner Van is invited to contact the undersigned attorney at the phone number listed below.

Respectfully submitted,

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Date

  
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Version With Markings to Show Changes Made

IN THE CLAIMS

Claim 44 has been amended as follows:

44. (Twice Amended) A hand-held electric sealer comprising
- a) a housing,
  - b) a press bar having a free end, said press bar being pivotally connected to said housing,
  - c) a metal press plate remote from said free end of said press bar for normally biasing said press bar in an open position, wherein said metal press plate is secured to said press bar,
  - d) a heating unit,
  - e) a source of current, and
  - f) circuitry electrically connecting said heating unit and said source of current, wherein said circuitry is normally in an open state,
- wherein when said free end of said press bar is pivoted downwardly said metal press plate switches said circuit from an open state to a closed state [causes said circuit to close].